

**REAL ESTATE BOARD  
MINUTES  
DECEMBER 1, 2005**

**PRESENT:** Richard A. Kollmansberger, Peter Sveum, Lloyd Levin, Dennis Pierce, Maria Watts (via telephone) and Lisabeth Weirich

**STAFF PRESENT:** Roxanne Peterson, Direct Licensing Coordinator; Tim Wellnitz, Bureau Director; William Black, Legal Counsel; Pat Schenck, Bureau Assistant; and Division of Enforcement Staff

**GUESTS:** Rick Staff, WRA  
H. Dale Peterson, Stroud, Willink & Howard, LLC

**CALL TO ORDER**

Richard Kollmansberger, Chair, called the meeting to order at 10:15 a.m. A quorum of six members was present.

**ADOPTION OF AGENDA**

**MOTION:** Lloyd Levin, moved, seconded by Peter Sveum, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OCTOBER 27, 2005**

**MOTION:** Dennis Pierce moved, seconded by Maria Watts, to approve the minutes of October 27, 2005 as written. Motion carried unanimously.

**PRESENTATION OF PROPOSED STIPULATIONS BY DIVISION OF  
ENFORCEMENT**

There were no presentations of proposed stipulations by the Division of Enforcement in the following matters.

- First Choice Realty LLC and Mary J. Hill - 04 REB 123
- Connie S. Mumm – 04 REB 123

**ADMINISTRATIVE REPORT – ROXANNE PETERSON**

Roxanne Peterson introduced Tim Wellnitz, Bureau Director of Business and Designs Professions, as the new Bureau Director for the Real Estate Board. Mr. Wellnitz introduced himself and gave a brief background on his professional experience. Ms. Peterson will provide the Board members with Mr. Wellnitz's phone number and e-mail address.

Due to a conflict in Board meeting dates the Board agreed to change the scheduled June 15, 2006 meeting date to June 22, 2006.

**Board Roster**

Noted.

**Board Member Hotline Number**

Ms. Peterson reiterated the Department's policy regarding the toll free 800 number for Board members only.

**Summary Reports on Pending Court Cases, Disciplinary Cases, Administrative Rules and Legislation**

Noted.

**Other Issues**

The Division of Enforcement has set a deadline of July 14, 2006 to file and resolve all 2003 cases.

**UPDATE ON PROPOSED CH. 452 REWRITE  
(LRB-1387/5dn)**

William Black reported that the proposed Ch 452 rewrite has passed both houses of the legislature and is currently in the Governor's office awaiting action by the Governor.

**APPEARANCES IN THE MATTER OF THE DISCIPLINARY PROCEEDINGS AGAINST  
RONALD BEATON (LS0410191 REB) - PROPOSED FINAL DECISION AND ORDER,  
RESPONDENT'S MOTION TO DISMISS - WIS. STATS. SECTION 227.46(2)  
10:15 A.M.**

**APPEARANCES IN THE MATTER OF THE DISCIPLINARY PROCEEDINGS  
AGAINST RONALD BEATON (01 REB 249)**

At 10:25 a.m. Richard Kollmansberger, Chair, turned the meeting over to Peter Sveum, Vice Chair. Mr. Kollmansberger did not participate in any discussion relating to the Ronald Beaton case.

Respondent's attorney H. Dale Peterson, Stroud, Willink & Howard, LLC, presented testimony in support of motion to dismiss disciplinary proceedings against Ronald Beaton (01 REB 249) and in opposition to the proposed final decision and order.

Mark Herman, Attorney, Division of Enforcement, presented testimony in opposition of the respondent's motion to dismiss disciplinary proceedings against Ronald Beaton (01 REB 249) and in support of the proposed final decision and order.

The Board will deliberate on this issue in Closed Session.

### **CLOSED SESSION**

At 11:00 a.m., Peter Sveum, Vice Chair, turned the meeting back over to Richard Kollmansberger, Chair.

**MOTION:** Lloyd Levin moved, seconded by Peter Sveum, to convene to Closed Session to deliberate on cases involving hearings (s. 19.85 (1) (a), Stats.); to consider licensure or discipline (s. 19.85(1) (b), Stats. to consider individual histories or disciplinary data (s. 19.85(1) (f), Stats.); and to confer with legal counsel (s. 19.85(1) (g), Stats.). Motion carried by roll call vote: Richard A. Kollmansberger-yes; Peter Sveum-yes; Maria Watts-yes; Lloyd Levin-yes; Dennis Pierce-yes; and Lisabeth Weirich-yes.

Open session recessed at 11:02 a.m.

### **DELIBERATION ON MOTIONS IN THE MATTER OF THE DISCIPLINARY PROCEEDINGS AGAINST RONALD BEATON (01 REB 249)**

At 11:10 a.m., Richard Kollmansberger turned the meeting over to Peter Sveum, Vice Chair. Mr. Kollmansberger did not participate in discussions.

At 11:21 a.m., Peter Sveum, Vice Chair, turned the meeting back over to Mr. Kollmansberger, Chair.

### **RECONVENE TO OPEN SESSION**

**MOTION:** Lloyd Levin moved, seconded by Dennis Pierce, to reconvene into Open Session at 11:21 a.m. Motion carried unanimously.

### **VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

### **MONITORING REPORT**

### **RAYMOND VAN KIRK**

**MOTION:** Peter Sveum moved, seconded by Lloyd Levin, to reinstate Raymond Van Kirk's real estate license to a full unrestricted license: Motion carried unanimously.

## CASE CLOSINGS

**MOTION:** Dennis Pierce moved, seconded by Lisabeth Weirich, to close the following cases: Peter Sveum abstained on case 03 REB 171. Motion carried unanimously.

- 03 REB 084** for no violation.
- 03 REB 096** for no violation.
- 03 REB 171** for Prosecutorial discretion (P1).
- 04 REB 038** for no violation.
- 04 REB 057** for prosecutorial discretion (P1).
- 04 REB 065** for insufficient evidence.
- 04 REB 096** for prosecutorial discretion (P2)
- 04 REB 139** for no violation.
- 04 REB 183** for prosecutorial discretion (P5).
- 04 REB 229** for no violation.
- 04 REB 274** for no violation.
- 04 REB 293** for prosecutorial discretion (P7)

## STIPULATIONS

### FIRST CHOICE REALTY LLC AND MARY J. HILL (04 REB 123)

**MOTION:** Peter Sveum moved, seconded by Lloyd Levin, to adopt the Stipulation, Findings of Fact, Conclusions of Law and Order in the matter concerning **First Choice Realty LLC and Mary J. Hill (04 REB 123)**. Motion carried unanimously.

### CONNIE S. MUMM (04 REB 123)

**MOTION:** Peter Sveum moved, seconded by Lloyd Levin, to adopt the Stipulation, Findings of Fact, Conclusions of Law and Order in the matter concerning **Connie S. Mumm (04 REB 123)**. Motion carried unanimously.

## ADMINISTRATIVE WARNINGS

### NOEMI GALVAN - 04 REB 229

**MOTION:** Lloyd Levin moved, seconded by Peter Sveum, to accept the Administrative Warning as written in the matter concerning **Noemi Galvin 04 REB 229**. Motion carried unanimously.

## DISCIPLINARY PROCEEDINGS - PROPOSED FINAL DECISION AND ORDER

At 11:45 a.m., Richard Kollmansberger turned the meeting over to Peter Sveum, Vice Chair. Mr. Kollmansberger did not participate in voting.

**RONALD BEATON (LS0410191 REB)**

**MOTION:** Lloyd Levin moved, seconded by Lisabeth Weirich, to adopt the proposed final decision and order in the matter concerning **Ronald Beaton (LS0410191REB)**. Richard Kollmansberger did not participate in any discussion or voting. Motion carried unanimously.

**MOTION:** Lloyd Levin moved, seconded by Dennis Pierce, to deny the respondent's motion to dismiss disciplinary proceedings in the matter concerning Ronald Beaton. Richard Kollmansberger did not participate in any discussion or voting. Motion carried unanimously

**SUCH OTHER ITEMS AS AUTHORIZED BY LAW**

None.

**ADJOURNMENT**

**MOTION:** Lloyd Levin moved, seconded by Dennis Pierce, to adjourn the meeting at 11:50 a.m. Motion carried unanimously.

**Next meeting: February 23, 2006**